

**Minutes of the
Tobacco Education and Research Oversight Committee (TEROC)
Master Plan Update Meeting**

Meeting on April 11, 2005
California Department of Health Services
Training Room C
1500 Capitol Avenue
Sacramento, CA 95814

MEMBERS PRESENT:

Bruce Allen, Jr., Theresa Boschert, Gregory Franklin, Susanne Hildebrand-Zanki, Kirk Kleinschmidt, and Deborah Sanchez

MEMBERS ABSENT:

Stella Aguinaga Bialous, Ron Arias, Lourdes Baezconde-Garbanati, Alan Henderson, Rod Lew, Dorothy Rice, and Traci Verardo

OTHERS IN ATTENDANCE:

David Cowling, Chief, Data Analysis and Evaluation Unit (DAEU), Tobacco Control Section (TCS), Department of Health Services (DHS)
Charles DiSogra, Incoming Director, Tobacco Related Disease Research Program, University of California (UC)
Larry Gruder, former Director, Tobacco Related Disease Research Program, UC
Kirsten Hansen, California Tobacco Control Alliance
Kathony Jerauld, DAEU, TCS, DHS
John Lagomarsino, Safe and Health Kids Program Office (SHKPO), California Department of Education (CDE)
Rhonda Robins, Consultant to DHS/TCS (writer assigned to the 2006-08 Master Plan)
Meredith Rolfe, Administrator, SHKPO, CDE
Gordon Sloss, California Youth Advocacy Network (CYAN)

1. WELCOME, INTRODUCTIONS, AND OPENING COMMENTS

The Chairperson, Kirk Kleinschmidt, called the meeting to order at 10:10 a.m. Each of the committee members introduced themselves. Members of the audience also introduced themselves and identified their affiliations.

The Chairperson determined that the number of members present did not constitute a quorum. Therefore, it was decided that the meeting would proceed as an informal discussion session; all formal decisions would be postponed until the next regularly scheduled meeting on May 24, 2005, in Sacramento.

2. APPROVAL OF MINUTES, REVIEW OF CORRESPONDENCE, AND ANNOUNCEMENTS

The Chairperson quickly reviewed the minutes of the previous meeting, held on January 24, 2005, but approval was postponed until the next regularly scheduled meeting on May 24, 2005.

The Chairperson pointed out two pieces of incoming correspondence that had been received since the previous meeting:

- A letter from a tobacco education specialist in the Butte County Office of Education to Jack O'Connell, Superintendent of Schools, arguing against proposed changes in the way Proposition (Prop) 99 funds are distributed and used in Tobacco Use Prevention Education (TUPE) programs in elementary schools.
- An opinion from the California (CA) Office of the Attorney General affirming the need for school districts to evaluate the effectiveness of tobacco use prevention programs and concluding that the California Department of Education (CDE) is required to withhold tobacco tax revenues from school districts that refuse to participate in the program evaluation surveys conducted by DHS.

The Chairperson also mentioned two pieces of outgoing correspondence:

- A letter from Tobacco Education and Research Oversight Committee (TEROC) to the Centers for Medicare and Medicaid Services supporting the proposal to provide coverage for two smoking cessation attempts per year
- A letter from TEROC to the Chair of the Academic Senate of the University of California (UC) urging rejection of the resolution calling for a statewide policy prohibiting academic units from adopting policies to decline tobacco industry (TI) funding for research.

The Chairperson announced that the Project Directors' Meeting (PDM) will be held on April 20 and 21, 2005, in Sacramento and that TEROC has a presentation time scheduled for Thursday morning during breakfast, 7:30 a.m. to 8:15 a.m. This breakfast meeting will be an opportunity to gather input from attendees for the next revision of the Master Plan (MP). (It was decided at the July meeting not to travel throughout the state to gather input, but rather to take advantage of already existing venues.)

The Chairperson noted that at the last meeting, after a robust discussion of what TEROC's position should be regarding cessation, a motion was made to table any final decisions until today's meeting. In the absence of a quorum, however, no action could be taken. The Chairperson moved that any formal decisions regarding TEROC's position on cessation be postponed until the next regularly scheduled meeting on May 24, 2005.

3. DEPARTMENT OF HEALTH SERVICES/TOBACCO CONTROL SECTION PRESENTATION OF UPDATED DATA

David Cowling, Chief, Data Analysis and Evaluation Unit (DAEU), Tobacco Control Section (TCS), Department of Health Services (DHS) presented 2004 data to be released at the PDM. Points covered including the following:

- Per capita TI expenditures versus (vs.) tobacco control expenditures: The gap is escalating-the tobacco industry is spending almost 20 times as much per capita in CA as tobacco control programs spend.

- CA adult smoking prevalence: 2004 numbers show it is down to 15.4 percent, which although not a statistically significant drop from 2003, does continue the trend downward from 1996.
- Current Population Survey data to compare CA prevalence with the rest of the United States (U.S.). Rate of decline similar between CA and U.S., with CA showing a bit steeper decline in 2001-02.
- Prevalence in men vs. women: Smoking among men seems to be leveling off, whereas we still see a decline among women.
- Prevalence among 18-to-24-year-olds: Keeping in mind that the sample size for this group is quite small, it does appear that the prevalence rate is showing a decline in the last two years.
- Prevalence according to socio-economic status (SES): prevalence increases as income and education level decline, and this trend holds across all racial and ethnic groups.
- Burden to society: An array of data sources was tapped to try to show smoking prevalence as a burden to each racial and ethnic group and as a burden to the general population as a whole. In absolute numbers, the need may be to go after non-Hispanic white male smokers because of their large population size. However, arguments can also be made to work with priority populations because the burden within certain groups is great and a significant reduction in smoking prevalence within those groups may be easier to achieve.
- Consumption (sales) continues to decline: When CA's comprehensive tobacco control program began, CA smokers smoked 19 percent fewer cigarettes than their U.S. counterparts. Now, CA smokers consume approximately half the number of cigarettes as smokers in the rest of the U.S.
- Contemplating quitting: CA smokers increasingly think about quitting both in the next 6 months and in the next 30 days.
- Light smokers (less than 15 cigarettes per day): The number of light smokers is on the rise.
- Attitudes about secondhand smoke (SHS) according to SES: Lower SES respondents were less favorable toward SHS messages.
- Approval of smoke-free workplace law: 90 percent of nonsmokers approve, 75 percent of smokers approve, and new residents approve at a higher rate than long-term residents.
- Attitudes toward the TI: 50 percent in CA think the TI has been punished enough vs. 63 percent of the rest of the U.S. believes the TI has been punished enough. And, more Californians agree that the TI makes itself look good, uses deceptive marketing practices, and targets vulnerable groups.
- Youth prevalence: CA shows a greater decline vs. the rest of the U.S.
- Successive cohorts of 6th, 8th, 10th, and 12th graders show declining prevalence over time.
- Stop Tobacco Access to Kids Enforcement (STAKE) Act data: No significant change since 1998.
- Percent of stores that have TI ("We Card") signs has gone up and percent of stores with the state (STAKE Act) signs have gone down.
- Tobacco-sponsored events: On a per capita basis, CA is in the middle of the U.S. statistically; in absolute numbers, CA sees a large number of major sponsored events
- CA and U.S. have both seen declines in lung cancer and other tobacco-related cancers since 1988; CA's rate of decline has been greater.
- Tobacco-related cancer mortality of CA vs. the rest of U.S.: In CA, tobacco-related mortality has dropped dramatically compared to the rest of the U.S.

4. REVIEW OF DECISIONS MADE AT THE JULY 19, 2004 MEETING ABOUT THE 2006-08 MASTER PLAN

The Chairperson reviewed the discussion on the 2006-08 MP that occurred at a special meeting on July 19, 2004, in Oakland. At that meeting, it was decided to keep the six objectives in the 2003-05 MP and also to keep as the overall goal to achieve an adult smoking prevalence rate of ten percent by the end of 2007.

At the July meeting, the group listed successes as well as challenges and barriers associated with each objective. The consensus of the group was that the 2003-05 MP will serve as the skeleton for the 2006-08 MP, and that today's meeting should be the last special meeting needed to address the MP revisions. Going forward, the MP revisions can be on the agenda at regularly scheduled TEROC meetings.

The Chairperson highlighted the areas of priority for each objective as follows:

Objective 1: Strengthen the fundamental structure of the state's tobacco control program. These items should be of highest priority:

- Adoption and implementation of CDE's TUPE recommendations. (These changes are not going to happen legislatively this year.)
- Prevent diversion of Prop 99 Research Account funds from Tobacco Related Disease Research Program (TRDRP) to the CA Cancer Registry.
- Reverse overall tobacco control funding declines.

Objective 2: Increase the price of tobacco products.

These items should be of highest priority:

- The gap between low tobacco program funding and high TI advertising expenditures is widening.
- Need public relations campaign on price of tobacco products.

Objective 3: Eliminate disparities and achieve parity in tobacco control.

These items should be of highest priority:

- Community Academic Research Awards (CARAs) and other research need to be translated for local use.
- Systemic issues of disparity need in-depth assessment and discussion, such as cultural competency in programs and further involvement of priority populations in the process.

Objective 4: Decrease exposure to SHS.

These items should be of highest priority:

- Support smoke-free policies governing multi-unit housing and smoke-free public housing.
- Obtain data on outdoor tobacco smoke (OTS).
- Smoking in casinos needs to be addressed. Culturally competent interventions and strategies are needed to enable Indian gaming casinos to become smoke-free workplaces.

Objective 5: Increase the availability of cessation assistance.

These items should be of highest priority:

- Increase effectiveness of cessation programs in schools.
- First five media campaigns need to be updated to include more on cessation and SHS.

Objective 6: Initiate efforts to regulate the TI and its influence.

This item is of highest priority:

- Articulate TEROC's position on the issue of federal regulation of tobacco and nicotine products.

5. ADDITIONAL COMMENTS ABOUT EACH OF THE MASTER PLAN'S OBJECTIVES

The Chairperson led a discussion in which each objective was revisited for additional comments by the committee and guests.

Overall, programmatic successes should be included in the MP, and the challenges and barriers also belong there, often to explain and support the prioritization of items under each objective. The idea is to take what is already stated in the MP and take it "to the next level."

The purpose of the MP is to give overall guidance without getting into day-to-day operational details.

Additional commentary and proposed action items about Objective 1:

Make sure that data drives all parts of the CA Tobacco Control Program (TCS, CDE, and TRDRP). Encourage all components of the state's tobacco control program to collaborate more effectively on issues that the data reveals.

The single most important focus for the MP should be efforts to raise the cigarette tax. This relates to Objective 2, but is not exactly the same as Objective 2. TEROC supports raising the price because of its effects on consumption; with a tax increase specifically, TEROC wants to make sure that some of that money goes to tobacco control. It is important to identify specific programs that will be the beneficiaries of a tobacco tax increase. It is also important to define a formula for funding distribution in the legislation.

Data that could support raising the price/tax include:

- Stan Glantz's data from a couple of years ago showing the decrease in consumption that the state can expect for various intervals of a price increase.
- Polling data showing public support for a \$1.50 tax increase.
- One suggestion is to ask for 20 percent of the tobacco tax revenues for tobacco control. The suggested amount has to be plausible; 50 percent might not pass that criteria. There are also philosophical disagreements on the best use of that large an amount of money.

CA has made great progress, but there is more to do. It is possible that the smokers most willing and able to quit already have. The fewer smokers there are left, the more resources might be needed to move them toward successfully quitting.

More dollars would allow TRDRP to conduct more pure research and large epidemiological studies; and reach priority populations. In short, more money could help us conduct meaningful interventions for priority populations.

The State does not want to get into a situation where it becomes dependent upon tobacco revenues for providing general services.

It was decided to use the tables on page 17 of the 2003-05 MP as a base and extend them out for three additional years.

TEROC should continue with the approach that, in order to be effective, the state's tobacco control program needs to spend 25 percent of the amount the TI spends on marketing in CA (now about 1.5 billion per year). That would be about \$375 million per year for all the components of the tobacco program.

Last time, the committee avoided talking about percentages, but rather came up with dollar amounts, because it did not know how much tax would actually be generated.

The Centers for Disease Control and Prevention (CDC) bases a lot of its recommendations on CA for its best practices, and TEROC wanted to come up with its own numbers.

Basically, the committee needs to decide on what is needed to reach the desired prevalence of ten percent and what the program can spend responsibly.

TEROC should support legislation that enables implementation of the CDE task force recommendations to change school-based programs.

TEROC should continue to advocate for no diversion of money to the CA Cancer Registry.

Research priorities: Continue adjusting research priorities based on data and needs identified in the field.

Additional commentary and proposed action items about Objective 2:

The MP should have updated relevant figures regarding TI marketing, etc.

The State needs a media campaign to educate the public on how much tobacco costs by county and how product is underpriced.

Perhaps the MP should have on the cover the graph showing the gap between TI spending and tobacco control spending to demonstrate the compelling need for a tax increase.

Support a mitigation fee. Focus on manufacturers as the payers, not consumers. Because of the Master Settlement Agreement (MSA), the State is limited in ways it can recoup monetary losses from health consequences of tobacco. The mitigation fee would have to be used for societal costs associated with things other than direct health care, such as litter, fire safety, etc. A portion of the fee should go toward cessation programs.

Is there a way to put some of the cost on the businesses that accept tobacco money for advertising? Some kind of tax or fee for serving as the medium of tobacco advertising? How about an incentive in the form of tax breaks to businesses who do not take tobacco money?

TEROC should continue supporting the prohibition of two-for-one specials and other promotions that lower the price.

The rest of the bullets under Objective 2 from the last MP should remain.

Additional commentary and proposed action items about Objective 3:

The TCS Priority Populations Conference is scheduled for September 7 and 8, 2005 in Sacramento. TEROC and TRDRP should have representatives on the TCS Priority Populations Conference planning committee.

The priority populations task force that Rod Lew wanted to chair has not met yet.

TEROC should ask TCS/TRDRP to identify implications of priority populations data for program and research directions, with cost assessment to implement.

Amendment to July 19, 2005 minutes: Under Objective 3 Success, the second and third items under School Academic Research Awards (SARAs) should be moved out from under SARAs and made bullets in their own right.

Action item: TCS to ask Rod Lew if he still wants to chair a TEROC task force on priority populations.

Additional commentary and proposed action items about Objective 4:

Assembly Bill (AB) 846 established 20 foot smoke-free zones around the entrances to public buildings. Now, the public is asking for the same type of regulation to apply to privately owned businesses. TEROC should support local policy development.

Support ordinances governing smoke-free multi-unit housing. (Emphasize this issue, take “voluntary” out of last MP’s language.) Protect nonsmoking residents.

Education about the ineffectiveness of air filtration is still important.

Additional commentary and proposed action items about Objective 5:

The Chairperson referred to the memo presented by Tracy Verardo to the committee on July 19, 2004, on the subject of cessation.

The motion on the table last time was adopt the recommendations in the memo except for the recommendations to:

“Eliminate funding restrictions on local grantees...”

Senate Bill (SB) 576 would require all insurance providers to cover cessation benefits, and would not require a link between counseling and medication.

There was a discussion about what exactly to do with the bullets in Tracy’s memo. Do they belong in the MP as further elucidation on the broader concepts, or can TEROC use them in another way as instructions on how to implement the broader vision of the MP? Are they too specific for the MP?

TCS needs to clarify to Local Lead Agencies and others in the field that the ten percent cap for cessation applies to direct services, not on policy changes and promotion.

The discussion will have to be continued at the next meeting, and the committee will vote on the motion at that time. At the next meeting, the committee will look at one version of the bullets with the “funding restrictions” items and one version without those items.

When doing the rewrite of the MP, remove the word “incite” from the last bullet under Objective 5.

Additional commentary and proposed action items about Objective 6:

Movie industry bullets are still relevant.

Encourage UC Regents to adopt a policy prohibiting researchers from accepting tobacco money.

Encourage individual researchers at UC to reject tobacco money.

Retain federal regulation that is effective, focused, and not in the pockets of the TI.

The committee decided last time not to put in anything about fire-safe cigarettes.

All other bullets appear to still be relevant. “Steer the course.”

Action item: TEROC to send a letter by e-mail to each member of the Assembly of the Academic Senate encouraging them to adopt a policy that allows academic units to refuse TI funding for research.

6. PLANS FOR TOBACCO EDUCATION AND RESEARCH OVERSIGHT COMMITTEE’S PARTICIPATION AT THE PROJECT DIRECTORS’ MEETING THURSDAY APRIL 21, 2005

TEROC members will use the 45-minute session at Thursday’s breakfast to inform the conference attendees that the committee is beginning to look at the MP, and that the new MP will be an update of the present MP. TEROC can frame the current landscape: what has been accomplished and what challenges remain. TEROC will try to get feedback on how it can continue “doing good things” and on what policy trends are going on at the community level.

7. FINAL THOUGHTS ON THE NEW MASTER PLAN

The focus must be on “how do we get to our ten percent goal?”

This MP covers 2006, 2007, and 2008.

The consensus among committee members was to try to reduce the length of the MP. The more succinct it is, the more relevant it becomes. The MP does not have to reproduce all the TCS updated data.

The committee was urged to think about the title.

The intended audience for the MP are legislators and staff, as well as the tobacco control community in CA. The report is mandated by legislation, so it must satisfy the requirements

of the legislation. It needs to explain some of the context. It is the big umbrella statement of where the tobacco control program is going in the next three years.

The one big idea in the new MP is to raise the tobacco tax. TEROC should have the mentality that the tobacco tax will get on the ballot and will be passed. This issue could renew excitement in the tobacco control field. People will look to the MP to see why the program needs the money, what the unanswered questions are, and where the unmet needs are. There is still a community lack of understanding of tobacco control.

The new MP should include more relevant, graphic data than pictures of program advertisements.

8. UPCOMING MEETINGS AND EVENTS

TEROC regular meeting May 24, 2005, 10 a.m. to 5 p.m., in Sacramento.

TEROC regular meeting September 15, 2005, 10 a.m. to 5 p.m., in Sacramento.

TRDRP Conference in Los Angeles on October 10 and 11, 2005.

County Board of Education / TUPE Coordinators meeting in Sacramento on September 21 and 22, 2005.

9. ACTION ITEMS

- a. TCS to facilitate sending the letter already approved by the committee regarding the UC policy on researchers accepting tobacco money directly by e-mail to each member of the Assembly of the Academic Senate.
- b. TCS to ask Rod Lew if he still wants to chair a TEROC task force on priority populations.

10. PROPOSED AMENDMENTS TO PREVIOUS MEETINGS' MINUTES

Charles DiSogra requested that his title be changed to "incoming director" in the listing of "others in attendance" at the meeting on January 24, 2005.

11. ADJOURNMENT

The meeting was adjourned at 3:45 p.m.